

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID WAYNE ELMORE,

Plaintiff,

2:04-cv-2657-GEB-EFB-P

vs.

TOM L. CAREY, et al.,

Defendants.

ORDER

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Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

On September 14, 2007, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiff filed a document styled "Opposition to Defendant John Kofoeds Motion for Summary Judgment," which the court construes as his partial objections to the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 72-304, this court has conducted a de novo review of this case. Having carefully reviewed the entire

1 file, the court finds the findings and recommendations to be supported by the record and by
2 proper analysis.

3 Accordingly, IT IS HEREBY ORDERED that:

4 1. The findings and recommendations filed September 14, 2007, are adopted in
5 full;

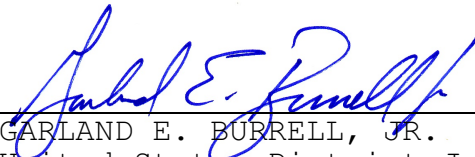
6 2. The October 27, 2006, motion for summary judgment filed by defendants
7 Borges, Hooper, Turella and Wendell is granted and that judgment is entered in their favor;

8 3. The October 27, 2006, motion for summary judgment filed by defendants
9 Traquina, Naku, Kofoed, Noriega and Rohrer is granted and that judgment is entered in their
10 favor;

11 4. That the October 27, 2006, motion for summary judgment filed by Carey is
12 granted and that judgment is entered in his favor; and

13 5. The Clerk is directed to close the case.

14 September 28, 2007

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17 GARLAND E. BURRELL, JR.
18 United States District Judge
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